



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : Bodenhamer
INVENTION: : Method and Apparatus for Selective Biological
Material Detection
SERIAL NUMBER : 09/930,563
FILING DATE : August 15, 2001
EXAMINER: : Chin, Christopher L.
GROUP ART UNIT : 1641
ATTORNEY DOCKET NO. : 1965.019

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TRANSMITTAL LETTER

CERTIFICATE UNDER 37 CFR 1.8(a)
I hereby certify that this correspondence is being
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P.O. Box 1450, Alexandria, VA 22313-1450 on 7-30-03
Susan H. Hess

Mail Stop: Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Please find enclosed for filing:

X Response to Office Action dated June 30, 2003.

Date: 7/30/2003

Respectfully submitted,

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Ferris H. Lander
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RESPONSE TO OFFICE ACTION OF JUNE 30, 2003

Sir:

In response to the Office Action dated June 30, 2003 having
a shortened statutory period for response set to expire July 30,
2003, kindly enter the following response:

Restriction

Restriction to one of the following inventions has been required under 35 USC 121:

I. Claims 1-17, drawn to a biological assay material, classified in class 422, subclass 57.

II. Claims 18-25 and 30-42, drawn to processes for detecting a toxic substance, classified in class 436, subclass 518.

III. Claims 26-29, drawn to a process for producing a biological assay material, classified in class 435, subclass 4.

Election

Applicant here elects without traverse Group II (claims 18-25 and 30-42) for prosecution on the merits.

It is understood that claims 1-17 and 26-29 drawn to non-elected inventions, will remain pending, albeit withdrawn from further consideration in the application.